

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

No. 5 of 2026

President Judge General Court Regulation

In re: Adoption of Philadelphia Court of Common Pleas Criminal Rule *435

ORDER

AND NOW, this 17th day of September, 2026, the Board of Judges of Philadelphia County having voted at the Board of Judges' meeting held on September 16, 2026, to adopt Phila. Crim. R. *435 as attached to this Order, and as required by Pa.R.J.A. 103, the Supreme Court Civil Procedural Rules Committee has reviewed the attached local rules, has determined that Phila. Crim. R. *435 is not inconsistent with applicable statewide rules and has authorized their promulgation.

NOW, therefore, it is hereby ORDERED and DECREED ***Philadelphia Court of Common Pleas Criminal Rule *435*** is adopted, as attached, effective thirty days after publication in the *Pennsylvania Bulletin*.

As required by Pa.R.J.A. 103(d), the local rule which follows this Order was submitted to the Supreme Court of Pennsylvania Criminal Procedural Rules Committee for review, and written notification has been received from the Rules Committee certifying that the local rule is not inconsistent with any general rule of the Supreme Court. This Order and the attached local rule shall be filed with the Office of Judicial Records (formerly the *Prothonotary, Clerk of Courts and Clerk of Quarter Sessions*) in a docket maintained for Administrative Orders issued by the First Judicial District of Pennsylvania. As required by Pa.R.J.A. 103(d)(5)(ii), two certified copies of this Administrative Order and the attached local rule, as well as one copy of the Administrative Order and local rule shall be distributed for publication in the *Pennsylvania Bulletin*. As required by Pa.R.J.A. 103(d)(6) one certified copy of this Administrative Order and local rule shall be filed with the Administrative Office of Pennsylvania Courts, shall be published on the website of the First Judicial District at <http://courts.phila.gov>, and shall be incorporated in the compiled set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*. Copies of the Administrative Order and local rules shall also be published in *The Legal Intelligencer* and will be submitted to *American Lawyer Media*, *Jenkins Memorial Law Library*, and the Law Library for the First Judicial District.

BY THE COURT:

/s/ Nina Wright Padilla

NINA WRIGHT PADILLA
President Judge, Court of Common Pleas
Philadelphia County

Phila. Crim. R. *435

Rule *435 Criminal Cases Involving a Minor

- A.** In all cases, the preliminary arraignment will be held before the Philadelphia Municipal Court's Arraignment Court Magistrate.
- B.** In cases where the victim or Commonwealth's witness is a minor, the Arraignment Court Magistrate shall schedule the case for appropriate action in Family Court.
 - 1.** If the matter is scheduled for a Preliminary Hearing, it shall be presided over by a Philadelphia Family Court Common Pleas Judge, who has the powers of a Municipal Court Judge pursuant to 42 Pa.C.S.A. § 912, for the limited and specific purposes of these hearings.
 - (a)** All cases in which a Felony is held for court shall be transferred and scheduled for trial in the Court of Common Pleas Trial Division and proceed pursuant to Pa.R.Crim.P. 543.
 - (b)** If a *prima facie* case is not established on any felony charges, but is established on any misdemeanor or summary charges, the case shall continue to be heard by Family Court and proceed pursuant to Pa.R.Crim.P. 1003E(3). In those cases, all Pretrial Motions, including Motions to Modify bail, will be heard by Family Court. Municipal Court Rules apply.
 - 2.** If the matter is a Municipal Court Case as defined by Pa.R.Crim.P. Rule 1001, it shall be presided over by a Philadelphia Family Court Common Pleas Judge, who has the powers of a Municipal Court Judge pursuant to 42 Pa.C.S.A. § 912, for the limited and specific purposes of these hearings.
 - (a)** All Pretrial Motions including Motions to Modify Bail will be heard by Family Court. Municipal Court Rules apply.
 - (b) Post Conviction**
 - (1)** Post Verdict Motions shall be decided by the presiding Trial Judge.
 - (2)** Trial De Novo Appeals shall be transferred and scheduled for trial in the Court of Common Pleas Trial Division and proceed pursuant to Pa.R.Crim.P. 1010.
- C.** In cases where the Defendant is a minor, the Arraignment Court Magistrate shall schedule all Direct File Juvenile cases before a Municipal Court Judge or Common Pleas Court Judge, as appropriate, for a status conference pursuant to Pa.R.Crim.P. 595.
 - (1)** If the Defendant has not filed a motion for transfer to juvenile proceedings pursuant to Pa.R.Crim.P. 596, the case shall be scheduled for trial in the Court of Common Pleas Trial Division.

- (2) If the Defendant has filed a motion for transfer and the motion is denied, the case shall be scheduled for trial in the Court of Common Pleas Trial Division.
- (3) If the Defendant has filed a motion for transfer and the motion is granted, the case will be listed for appropriate action in Family Court.